

Performing Arts Center Board Minutes 02/20/2009

SIMSBURY PERFORMING ARTS CENTER BOARD
SPECIAL MEETING
FEBRUARY 20, 2009

I. CALL TO ORDER

Dave Ryan called the meeting to order at 7:55 a.m. In addition to Mr. Ryan, Board members Ken Mason, and Greg Piecuch were present. John Paddock attended via teleconference. Also in attendance were Gerry Toner, Director of Parks & Recreation and Selectman Bob Hensley.

Mr. Piecuch moved to proceed to item # 7 on the agenda. Mr. Mason seconded the motion. The motion passed unanimously.

VII. RECOMMENDATIONS TO THE B.O.S. ON FACILITY USE REQUESTS

a. Rotary Club's River Run April 26, 2009

Mr. Piecuch moved to moved to inform the Board of Selectmen that there was no conflict and to recommend that the Board of Selectman approve the request. Mr. Mason seconded the motion. The motion passed unanimously.

b. FV Trails Council Event June 6, 2009

Mr. Piecuch moved to moved to inform the Board of Selectmen that there was no conflict and to recommend that the Board of Selectman approve the request. Mr. Mason seconded the motion. The motion passed unanimously.

c. Other Requests

There were no other requests pending before the Board.

II. REVIEW AND APPROVAL OF MINUTES FOR THE
DECEMBER 17, 2008, AND JANUARY 21, 2009, MEETINGS

Mr. Piecuch moved to moved to approve the minutes of December 17, 2008. Mr. Mason seconded the motion. The motion passed unanimously. Mr. Paddock abstained.

Mr. Piecuch moved to moved to approve the minutes of January 21, 2009. Mr. Mason seconded the motion. The motion passed unanimously. Mr. Paddock abstained.

III. 2009 Season Status/Schedule

Mr. Piecuch moved to proceed to item # 4 on the agenda. Mr. Mason seconded the motion. The motion passed unanimously.

IV. HSO TMMF ISSUES AND POSSIBLE ACTIONS

The Board reviewed the draft agreement that had been negotiated between Mr. Distel and representatives of the HSO. Mr. Piecuch raised five issues for discussion and possible amendment: (1) a deletion of reference to Exhibit A in the fourth "Whereas" clause; (2) an addition of new language in § 1.1 to set forth the maximum number of days the HSO would be entitled to exclusively occupy the facility during the "concert season" in years two through five of the contract; (3) a change to the title of the "facility maintenance fee" to better reflect the use of the funds; (4) an insertion in § 1.4 of the phrase "and defraying other Town costs" in order to mirror §

1.3; and (5) a clarification concerning the language in § 1.10 concerning the number of complimentary tickets to be made available to the Town. The first, third, fourth and fifth matters were deemed to be clerical in nature, and there was no objection in returning to the HSO with these suggested changes. However, there was concern that the second item was substantive in nature, and that the window for such negotiations had been closed. Based upon this representation, Mr. Piecuch agreed withdraw a request to amend the agreement in regard to the second matter.

Mr. Piecuch moved to moved to approve the Third Amended License Agreement, with amendments, and to recommend that the Board of Selectman authorize the First Selectman to enter into the contract on behalf of the Town of Simsbury. Mr. Mason seconded the motion. The motion passed unanimously.

V. DISCUSSION AND POSSIBLE ACTION ON COMPLIMENTARY OR NEGOTIATED EVENT TICKETS

Mr. Ryan presented a draft policy to the Board for discussion and possible action concerning any and all complimentary or negotiated event tickets for TMMF or other performances. After discussion, the Board agreed on the following language:

“All complimentary tickets issued to the Town of Simsbury shall be controlled by the Performing Arts Center Board. It shall be the policy of the Performing Arts Center Board that no event tickets will be given to any Town of Simsbury employee, elected official or appointed official for personal use. Tickets are to be used for promotional and fund-raising purposes and shall be accounted for in detail and reported in the PAC at SM Annual Report.”

Mr. Piecuch moved to moved to approve the policy concerning complimentary or negotiated event tickets, as amended. Mr. Mason seconded the motion. The motion passed unanimously.

VI. SUB-COMMITTEE PLAN ON GOVERNANCE ALTERNATIVES

The Board briefly discussed that governance could take one of three broad forms: (1) a quasi-municipal authority such as the WPCA, (2) a non-profit organization, or (3) a town board of some sort. A further report will be made at the March meeting.

VIII. JOHN PADDOCK'S REVISED POLICY STATEMENTS

This matter was tabled.

IX. ADJOURNMENT

Mr. Piecuch moved to adjourn at 8:34 a.m. Mr. Mason seconded the motion. The motion carried unanimously.

Respectfully Submitted,

Gregory W. Piecuch